

CHICAGO TITLE INSURANCE COMPANY

Policy No. 72156-47863236

RECEIVED
JUN 23 2023

2nd AMENDED
GUARANTEE

Kittitas County CDS

CHICAGO TITLE INSURANCE COMPANY, a Florida corporation, herein called the Company, guarantees the Assured against actual loss not exceeding the liability amount stated in Schedule A which the Assured shall sustain by reason of any incorrectness in the assurances set forth in Schedule A.

1. No guarantee is given nor liability assumed with respect to the identity of any party named or referred to in Schedule A or with respect to the validity, legal effect or priority of any matter shown therein.
2. The Company's liability hereunder shall be limited to the amount of actual loss sustained by the Assured because of reliance upon the assurance herein set forth, but in no event shall the Company's liability exceed the liability amount set forth in Schedule A.

PLEASE NOTE CAREFULLY THE LIABILITY EXCLUSIONS AND LIMITATIONS AND THE SPECIFIC ASSURANCES AFFORDED BY THIS GUARANTEE. IF YOU WISH ADDITIONAL LIABILITY, OR ASSURANCES OTHER THAN AS CONTAINED HEREIN, PLEASE CONTACT THE COMPANY FOR FURTHER INFORMATION AS TO THE AVAILABILITY AND COST.

Dated: June 16, 2023

Issued by:

AmeriTitle, LLC
101 W Fifth Ave.
Ellensburg, WA 98926
(509)925-1477

Laura Woodiwiss

Authorized Signer

CHICAGO TITLE INSURANCE COMPANY



By:

Agnes M. L.

President

ATTEST

John C. J.

Secretary

Note: This endorsement shall not be valid or binding until countersigned by an authorized signatory.

Subdivision Guarantee Policy Number: 72156-47863236

2nd AMENDED SUBDIVISION GUARANTEE

Order No.: 518898AM
Guarantee No.: 72156-47863236
Dated: June 16, 2023 at 7:30 A.M.

Liability: \$1,000.00
Fee: \$350.00
Tax: \$29.05

Assured: ESM Consulting Engineers, LLC

The assurances referred to on the face page are:

That, according to those public records with, under the recording laws, impart constructive notice of matters relative to the following described real property:

Tracts Z-1 through Z-6, inclusive, [BLACK HORSE AT WHISKEY CREEK – PHASE 1](#), in the County of Kittitas, State of Washington, as per plat thereof recorded in Book 13 of Plats, pages 187 through 201, records of said County.

Title to said real property is vested in:

SSHI, LLC, a Delaware Limited Liability Company, DBA D.R. Horton

END OF SCHEDULE A

(SCHEDULE B)

Order No: 518898AM
Policy No: 72156-47863236

Subject to the matters shown below under Exceptions, which Exceptions are not necessarily shown in the order of their priority.

EXCEPTIONS:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Unpatented mining claims; reservations or exceptions in the United States Patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
3. Title to any property beyond the lines of the real property expressly described herein, or title to streets, roads, avenues, lanes, ways or waterways on which such real property abuts, or the right to maintain therein vaults, tunnels, ramps, or any other structure or improvement; or any rights or easements therein unless such property, rights or easements are expressly and specifically set forth in said description.
4. Any lien for service, installation, connection, maintenance, tap, capacity or construction or similar charges for sewer, water, electricity, natural gas or other utilities, or for garbage collection and disposal not shown by the Public Records
5. Indian tribal codes or regulations, Indian treaty or aboriginal rights, including easements or equitable servitudes.
6. General Taxes and Assessments – total due may include fire patrol assessment, weed levy assessment and/or irrigation assessment, if any. Taxes noted below do not include any interest or penalties which may be due after delinquency.

Note: Tax year runs January through December with the first half becoming delinquent May 1st and second half delinquent November 1st if not paid. For most current tax information or tax printouts visit: <http://taxsifter.co.kittitas.wa.us> or call their office at (509) 962-7535.

Tax Year: 2023
Tax Type: County
Total Annual Tax: \$2,068.90
Tax ID #: 962287
Taxing Entity: Kittitas County Treasurer
First Installment: \$1,034.45
First Installment Status: Paid
First Installment Due/Paid Date: April 30, 2023
Second Installment: \$1,034.45
Second Installment Status: Due
Second Installment Due/Paid Date: October 31, 2023

7. Tax Year: 2023
Tax Type: Irrigation
Total Annual Tax: \$192.50
Tax ID #: 962287
Taxing Entity: Kittitas County Treasurer
First Installment: \$96.25
First Installment Status: Paid
First Installment Due/Paid Date: April 30, 2023
Second Installment: \$96.25
Second Installment Status: Due
Second Installment Due/Paid Date: October 31, 2023
8. Tax Year: 2023
Tax Type: County
Total Annual Tax: \$2,139.25
Tax ID #: 962288
Taxing Entity: Kittitas County Treasurer
First Installment: \$1,069.63
First Installment Status: Paid
First Installment Due/Paid Date: April 30, 2023
Second Installment: \$1,069.62
Second Installment Status: Due
Second Installment Due/Paid Date: October 31, 2023
9. Tax Year: 2023
Tax Type: Irrigation
Total Annual Tax: \$226.10
Tax ID #: 962288
Taxing Entity: Kittitas County Treasurer
First Installment: \$113.05
First Installment Status: Paid
First Installment Due/Paid Date: April 30, 2023
Second Installment: \$113.05
Second Installment Status: Due
Second Installment Due/Paid Date: October 31, 2023
10. Tax Year: 2023
Tax Type: County
Total Annual Tax: \$1,595.28
Tax ID #: 962289
Taxing Entity: Kittitas County Treasurer
First Installment: \$797.64
First Installment Status: Paid
First Installment Due/Paid Date: April 30, 2023
Second Installment: \$797.64
Second Installment Status: Due
Second Installment Due/Paid Date: October 31, 2023
11. Tax Year: 2023
Tax Type: Irrigation
Total Annual Tax: \$70.00
Tax ID #: 962289
Taxing Entity: Kittitas County Treasurer
First Installment: \$35.00
First Installment Status: Paid
First Installment Due/Paid Date: April 30, 2023
Second Installment: \$35.00
Second Installment Status: Due
Second Installment Due/Paid Date: October 31, 2023

Subdivision Guarantee Policy Number: 72156-47863236

12. Tax Year: 2023
Tax Type: County
Total Annual Tax: \$1,595.28
Tax ID #: 962290
Taxing Entity: Kittitas County Treasurer
First Installment: \$797.64
First Installment Status: Paid
First Installment Due/Paid Date: April 30, 2023
Second Installment: \$797.64
Second Installment Status: Due
Second Installment Due/Paid Date: October 31, 2023
13. Tax Year: 2023
Tax Type: Irrigation
Total Annual Tax: \$70.00
Tax ID #: 962290
Taxing Entity: Kittitas County Treasurer
First Installment: \$35.00
First Installment Status: Paid
First Installment Due/Paid Date: April 30, 2023
Second Installment: \$35.00
Second Installment Status: Due
Second Installment Due/Paid Date: October 31, 2023
14. Tax Year: 2023
Tax Type: County
Total Annual Tax: \$2,140.22
Tax ID #: 962291
Taxing Entity: Kittitas County Treasurer
First Installment: \$1,070.11
First Installment Status: Paid
First Installment Due/Paid Date: April 30, 2023
Second Installment: \$1,070.11
Second Installment Status: Due
Second Installment Due/Paid Date: October 31, 2023
15. Tax Year: 2023
Tax Type: Irrigation
Total Annual Tax: \$226.80
Tax ID #: 962291
Taxing Entity: Kittitas County Treasurer
First Installment: \$113.40
First Installment Status: Paid
First Installment Due/Paid Date: April 30, 2023
Second Installment: \$113.40
Second Installment Status: Due
Second Installment Due/Paid Date: October 31, 2023
16. Tax Year: 2023
Tax Type: County
Total Annual Tax: \$2,088.17
Tax ID #: 962292
Taxing Entity: Kittitas County Treasurer
First Installment: \$1,044.09
First Installment Status: Paid
First Installment Due/Paid Date: April 30, 2023
Second Installment: \$1,044.08
Second Installment Status: Due
Second Installment Due/Paid Date: October 31, 2023

Subdivision Guarantee Policy Number: 72156-47863236

17. Tax Year: 2023
Tax Type: Irrigation
Total Annual Tax: \$199.50
Tax ID #: 962292
Taxing Entity: Kittitas County Treasurer
First Installment: \$99.75
First Installment Status: Paid
First Installment Due/Paid Date: April 30, 2023
Second Installment: \$99.75
Second Installment Status: Due
Second Installment Due/Paid Date: October 31, 2023
18. Liens, levies and assessments of the Black Horse at Whiskey Creek Home Owners Association.
19. Assessments, maintenance and operating provisions of the Cascade Irrigation District as set forth in Resolution Numbers 01-2006 and 02-2006 recorded February 8, 2006 under Auditor's File Nos. [200602080001](#) and [200602080002](#), revised and amended in Resolution Number 04-2008 recorded March 12, 2008 under Auditor's File No. [200803120028](#) and further revised and amended in Resolution 03-2012 recorded July 17, 2012, under Auditor's File No. [201207170016](#).
20. Notice of possible (present and future) tap or connection charges levied, or to be levied, by the City of Ellensburg, notice of which is given by instrument recorded February 3, 1978, under Kittitas County Auditor's File No. [420037](#) and by instrument recorded may 25, 2006, under Auditor's File No. 200605250046.
21. Easement, and the terms and conditions thereof, affecting a portion of said premises and for the purposes hereinafter stated, as reserved by instrument recorded on November 21, 1911, under Kittitas County Auditor's File No. [31009](#).
In favor of: Henry Kleinberg and Amelia S. Kleinberg, husband and wife
For: The right to conduct water across said premises through the ditch now constructed thereon for the irrigation of their lands in said Section 27.
Affects: A portion of said premises
22. Easement for telephone purposes, together with necessary appurtenances and all rights conveyed by instrument recorded on January 9, 1926, and July 19, 1929, under Kittitas County Auditor's File Nos. [80187](#) and [96449](#).
To: Pacific Telephone and Telegraph Company
Affects: A portion of said premises

Assignment of right of way recorded September 21, 1959, under Kittitas County Auditor's File No. [278870](#),
To: Ellensburg Telephone Company
23. Right-of-way for Ellensburg Water Company Canal across a portion of said premises, as disclosed by various documents of record.
24. Outside Utility Agreement, Annexation and Covenant, and the terms and conditions thereof, executed by and between the parties herein named:
Between: City of Ellensburg and D.R. Horton
Dated: April 19, 2006
Recorded: May 25, 2006
Auditor's File No.: [200605250046](#)
25. Terms and provisions contained in Mineral Deed from SSHI, LLC, Grantor, to DR Energy, Inc., a Colorado Corporation, Grantee, recorded October 11, 2006, under Auditor's File No. [20061011009](#)

26. Terms and conditions of Agreement as set forth in Contract for Reimbursement for water/sewer facilities executed by and between the parties herein named:
Between: SSHI, LLC dba D.R. Horton and the City of Ellensburg
Dated: July 17, 2008
Recorded: August 5, 2008
Auditor's File No.: [200808050001](#)
27. Any rights, interests, or claims which may exist or arise by reason of the following matters(s) disclosed by Black Horse at Whiskey Creek - Phase 1,
Recorded: December 21, 2021
Book: 13 of Plats, Page: 187 through 201
Instrument No.: [202112210020](#)
Matters shown:
a) Easements shown thereon
b) Easement provisions contained thereon
c) Approximate location of 100 year flood plain
d) Notes contained thereon
e) Dedication contained thereon
28. Covenants, conditions and restrictions, but omitting any covenant or restriction based on race, color, religion, sex, sexual orientation, disability, handicap, familial status, marital status, ancestry, national origin or source of income, as set forth in applicable state or federal laws, except to the extent that said covenant or restriction is permitted by applicable law.
Recorded: December 21, 2021
Instrument No.: [202112210021](#)
- Modification(s) of said covenants, conditions and restrictions
Recorded: September 8, 2022
Instrument No.: [202209080008](#)
- Further modifications of said covenants, conditions and restrictions
Recorded: December 2, 2022
Instrument No.: [202212020016](#)
29. A pending court action as disclosed by a recorded notice:
Petitioners: John and Kerry Woods, husband and wife and Oenone J Kinman, a single person
Respondents: Kittitas County, a political subdivision of the State of Washington and SSHI, LLC, d/b/a D.R. Horton
Court: Kittitas County Superior Court
Case No.: 22-2-00007-19
Nature of Action: Land Use Petition
Filed: January 10, 2022

END OF EXCEPTIONS

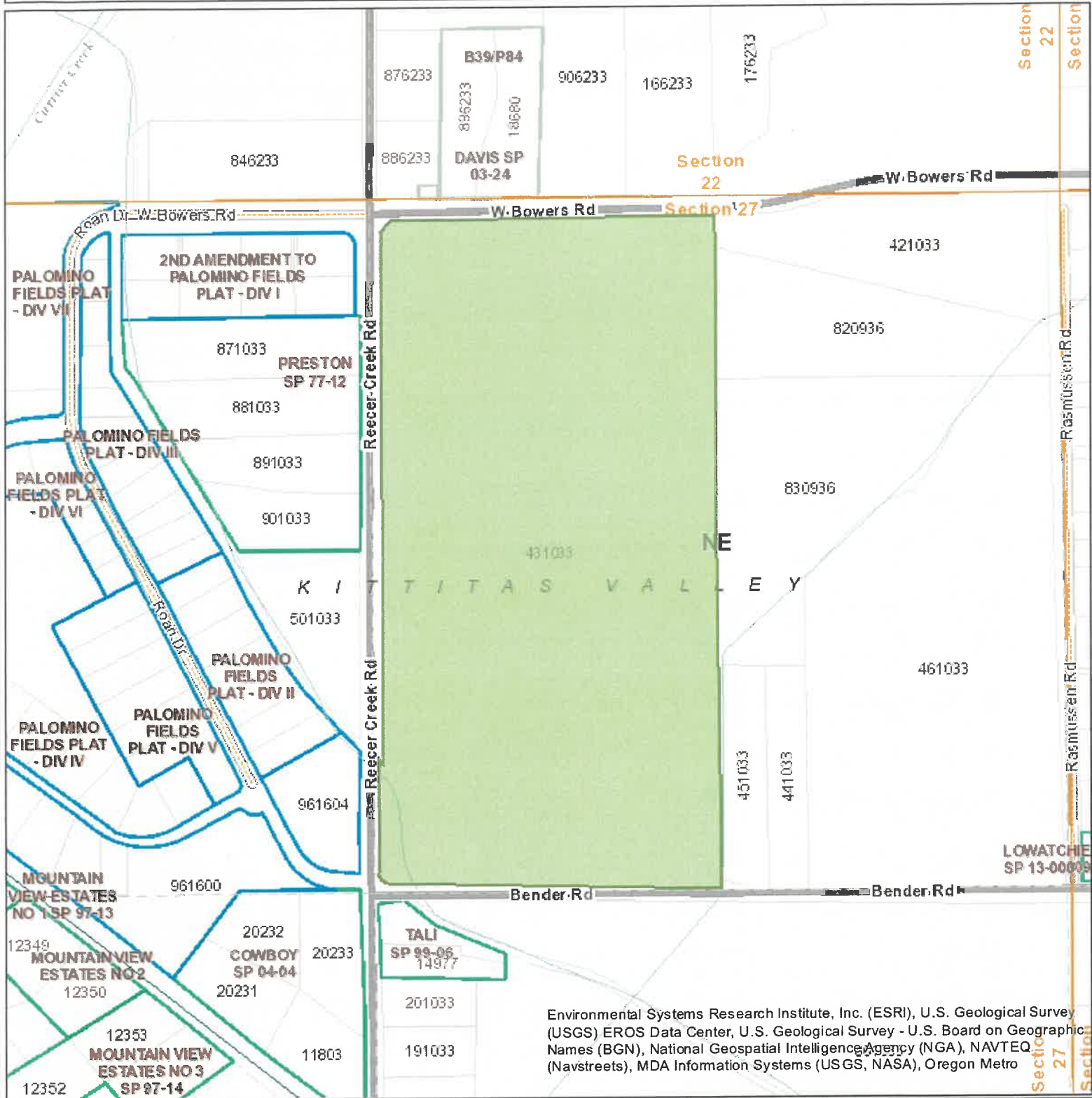
Notes:

- a. Any map or sketch enclosed as an attachment herewith is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.
- b. All documents recorded in Washington State must include an abbreviated legal description and tax parcel number on the first page of the document. The abbreviated description for this property is: Tracts Z-1 through Z-12, inclusive, BLACK HORSE AT WHISKEY CREEK – PHASE 1, Book 13 of Plats, pgs 187-201.

NOTE: In the event any contracts, liens, mortgages, judgments, etc. which may be set forth herein are not paid off and released in full, prior to or immediately following the recording of the forthcoming plat (short plat), this Company will require any parties holding the beneficial interest in any such matters to join in on the platting and dedication provisions of the said plat (short plat) to guarantee the insurability of any lots or parcels created thereon. We are unwilling to assume the risk involved created by the possibility that any matters dedicated to the public, or the plat (short plat) in its entirety, could be rendered void by a foreclosure action of any such underlying matter if said beneficial party has not joined in on the plat (short plat).

END OF GUARANTEE

Parcel 431033

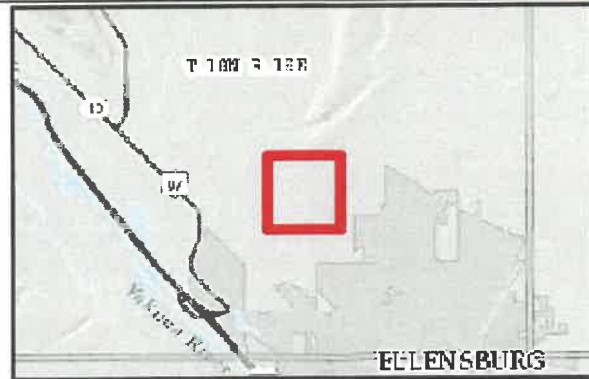


Environmental Systems Research Institute, Inc. (ESRI), U.S. Geological Survey (USGS) EROS Data Center, U.S. Geological Survey - U.S. Board on Geographic Names (BGN), National Geospatial Intelligence Agency (NGA), NAVTEQ (Navstreets), MDA Information Systems (USGS, NASA), Oregon Metro

Date: 1/7/2022

1 inch = 752 feet
Relative Scale 1:9,028

Disclaimer:
Kittitas County makes every effort to produce and publish the most current and accurate information possible. No warranties, expressed or implied, are provided for the data, its use, or its interpretation. Kittitas County does not guarantee the accuracy of the material contained herein and is not responsible for any use, misuse or representations by others regarding this information or its derivatives.





KITTITAS COUNTY COMMUNITY DEVELOPMENT SERVICES

411 N. Ruby St., Suite 2, Ellensburg, WA 98926

CDS@CO.KITTITAS.WA.US

Office (509) 962-7506

“Building Partnerships -- Building Communities”

FINAL PLAT APPLICATION

Please type or print clearly in ink. Attach additional sheets as necessary. The following items must be attached to the application packet at intake or the application will not be accepted. Pursuant to RCW 58.17.140 “Final plats and short plats shall be approved, disapproved, or returned to the applicant within thirty days from the date of filing thereof, unless the applicant consents to an extension of such time period;” therefore Kittitas County must have all of the required attachments to accept the final plat/short plat for review to meet the required timeframes. For plats that require the Board of County Commissioners (BOCC) signature, all documents must be uploaded for consideration approximately one (1) week in advance of the BOCC Agenda Session Meeting. This leaves three (3) weeks from the date of applicant submittal for County Staff to review and sign the plat.

REQUIRED ATTACHMENTS

- One paper copy of Final Plat drawings meeting all final drawing requirements (reference KCC Title 16 Subdivision Code for plat drawing requirements) and RCW Title 58 along with WAC 332-130.
 - May be submitted on polyester film, however please note these may need to be reprinted based on staff review (this is not required for initial review)
- Project Condition Compliance Document that responds in writing as to how each condition of preliminary approval has been met, including supporting documentation as necessary (Example Attached).
- If this is a plat associated with a Planned Unit Development, the Final Development Plan must be approved through Resolution by the BOCC prior to submittal for final plat/short plat review.
- Recent Title Report, within 90 days of final plat submittal.
- Lot Line Closures
- Proof of water sufficient to meet Kittitas County Department of Environmental Health requirements.
- Any other items specifically required by conditions of preliminary approval.

Submittal is for Phase 2 of Black Horse at Whiskey Creek - 135 Lots

APPLICATION FEES:

\$960.00	Kittitas County Community Development Services (KCCDS) Final Plat Fee
\$295.00	Kittitas County Environmental Health Final Plat Fee
\$1,215.00*	Kittitas County Public Works Final Plat Fee
\$2,470.00	Total fees due for final plat processing

*5 hours of review included in Public Works Fee. Additional review hours will be billed at \$243 per hour.

FOR STAFF USE ONLY

Application Received By (CDS Staff Signature):	DATE:	RECEIPT #	DATE STAMP IN BOX
_____	_____	_____	
Planner Intake Signature (required for submittal):			
_____	_____		

COMMUNITY PLANNING • BUILDING INSPECTION • PLAN REVIEW • ADMINISTRATION • PERMIT SERVICES • CODE ENFORCEMENT • FIRE INVESTIGATION

FORM LAST REVISED: 06-01-2021

Page 1 of 4

GENERAL APPLICATION INFORMATION

1. Name, mailing address and day phone of land owner(s) of record:

Landowner(s) signature(s) required on application form.

Name: SSHI, LLC dba D R Horton (Jennifer Reiner)
Mailing Address: 11241 Slater Ave NE, Suite 200
City/State/ZIP: Kirkland, WA 98033
Day Time Phone: 425-691-7681
Email Address: jreiner@drhorton.com

2. Name, mailing address and day phone of authorized agent, if different from landowner of record:

If an authorized agent is indicated, then the authorized agent's signature is required for application submittal.

Agent Name: _____
Mailing Address: _____
City/State/ZIP: _____
Day Time Phone: _____
Email Address: _____

3. Name, mailing address and day phone of other contact person

If different than land owner or authorized agent.

Name: _____
Mailing Address: _____
City/State/ZIP: _____
Day Time Phone: _____
Email Address: _____

4. Street address of property:

Address: 1406 W Bender Road
City/State/ZIP: Ellensburg, WA 98926

5. Tax parcel number(s): 18-18-27010-0002

6. Project File Name (at time of preliminary review): Black Horse at Whiskey Creek PUD Rezone & Preliminary Plat

7. Project File Number (at time of preliminary review): Z-06-00015 & P-06-00022

8. Preliminary Approval Date: February 6, 2007

9. Preliminary Approval Resolution Number 2007-06

10. Final Development Plan Resolution Number (only if this applies): 2015-043

11. Development Agreement Ordinance Number (only if this applies): _____

AUTHORIZATION

12. Application is hereby made for permit(s) to authorize the activities described herein. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete, and accurate. I further certify that I possess the authority to undertake the proposed activities. I hereby grant to the agencies to which this application is made, the right to enter the above-described location to inspect the proposed and or completed work.

All correspondence and notices will be transmitted to the Land Owner of Record and copies sent to the authorized agent or contact person, as applicable.

**Signature of Authorized Agent:
(REQUIRED if indicated on application)**

Date:

X _____

**Signature of Land Owner of Record
(Required for application submittal):**

Date:

X _____
